



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: September 20, 2006

Time: Closed Session 5:00 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

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NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9(a); one case; Peter Rose et al. v. the City of Lodi, et al.; United States District Court, Eastern District of California, Case No. 2:05-CV-2232 GEB/PAN and consolidated cases
- b) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Lodi Professional Firefighters and Police Mid-Management, pursuant to Government Code §54957.6
- c) Actual litigation: Government Code §54956.9(a); one case, City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco, Superior Court, Case No. CGC-05-441976
- d) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- e) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Barbara Taylor, Lodi Police Chaplains

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation by the Lodi Area All Veterans Plaza Foundation of payment on loan from City of Lodi (CM)

E. Consent Calendar (Reading; comments by the public; Council action)

E-1 Receive Register of Claims in the amount of \$6,578,627.09 (FIN)

- E-2 Approve minutes (CLK)
 - a) August 1, 2006 (Shirtsleeve Session)
 - b) August 8, 2006 (Shirtsleeve Session)
 - c) August 15, 2006 (Shirtsleeve Session)
 - d) August 29, 2006 (Shirtsleeve Session)
 - e) September 5, 2006 (Shirtsleeve Session)
- E-3 Approve plans and specifications and authorize advertisement for bids for Domestic Outfall Sewer Pipeline Condition Assessment (PW)
- E-4 Authorize staff to issue requests for qualifications and develop a qualified-vendor database for financial planning, electric utility rates, power supply planning, and/or engineering services for the Electric Utility Department (EUD)
- E-5 Approve request for proposals for plans examining and building inspection services (CD)
- Res. E-6 Adopt resolution approving standardization of the City's desktop and notebook computers (ISD)
- Res. E-7 Adopt resolution appropriating additional funds for Change Order No. 14 for Lower Sacramento Road Widening Project, Kettleman Lane to Harney Lane (\$40,925) (PW)
- Res. E-8 Adopt resolution accepting improvements under contract for White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road, and appropriating additional funds (\$1,500) (PW)
- E-9 Approve amendment extending the term of the Northeastern San Joaquin County Groundwater Banking Authority Joint Powers Agreement (PW)
- Res. E-10 Adopt resolution amending the Electric Utility Department Rules and Regulations Nos. 13, 15, and 16 to recover the full cost of expanding the electric distribution system from new electric load (EUD)
- E-11 Accept notice of draft amendments to Conflict of Interest Code for the year 2006 (Government Code §87306.5) (CA)
- Res. E-12 Adopt resolution amending the Memorandum of Understanding with the Lodi Professional Firefighters for the period July 1, 2006 through June 30, 2007 (CM)
- Res. E-13 Adopt resolution amending the Memorandum of Understanding with the Lodi Police Mid-Management Organization for the period July 1, 2006 through June 30, 2007 (CM)
- Res. E-14 Adopt resolution appointing Randi Johl to the position of City Clerk and approving an employment agreement (CM)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- I-1 Public hearing to consider unmet transit needs in Lodi (PW)

Res. I-2 Public hearing to consider adopting a resolution amending the Electric Utility Department Rules and Regulations No. 15 to assess a Transmission and Substation System charge on new developments outside existing City limits as of August 1, 2006 (EUD)

Ord. I-3 Public hearing to consider introducing an ordinance amending Chapter 13.20, "Electrical Service," by amending Section 13.20.225, Schedule NEM (Net Energy Metering), and adding Section 13.20.227, Schedule CEM (Co-Energy Metering Rider), both applicable to qualified, customer-installed solar and wind generation, to become effective on November 1, 2006 (EUD)
(Introduce)

J. Communications

J-1 Claims filed against the City of Lodi – None

J-2 Appointments – None

J-3 Miscellaneous

a) Monthly Protocol Account Report (CLK)

K. Regular Calendar

K-1 Status of Code Enforcement regarding mobile food vendors (CD)

Res. K-2 Adopt resolution approving program guidelines of the Revolving Loan Fund for the City of Lodi's Economic Development Jobs Program (CD)

K-3 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program Litigation and various other cases being handled by outside counsel (\$130,186.10) (CA)

L. Ordinances – None

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Perrin
Interim City Clerk